

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 29-31 are pending; no claims are newly added or canceled herewith. Claims 29-31 are amended, and it is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 29-31 were rejected under 35 U.S.C. § 103(a) as unpatentable over Aggarwal (U.S. Pat. No. 6,834,344) in view of Stern (U.S. Pat. No. 5,483,597). The rejection of Claims 29-31 has been obviated by the present amendment for the reasons discussed below.

Claim 29, as amended, recites in part:

a Hamming distance between the outputted codeword and a second outputted codeword is proportional to a distance between the first watermark information and a second watermark information.

Independent Claims 30 and 31 recite analogous features.

The present invention, as recited, for example, in Claims 29-31, is directed to preventing collusion attack. More specifically, codewords obtained by connecting a plurality of codes (component codes) are embedded as watermarks, thereby obtaining collusion attack resistant codes which detect unauthorized users. Because simplex codes are used as the component codes, a correlation between codewords is nearly zero.

As admitted in the outstanding Office Action, Aggarwal does not disclose or suggest selecting the codeword from the simplex code according to user identification. Additionally, Aggarwal does not disclose or suggest the claimed Hamming distance. Outstanding Office Action attempts to remedy the deficiencies of Aggarwal by relying upon Stern.

Stern relates to an authentication process for at least one identification device using a verification device and a device embodying the process. However, Stern does not disclose or

suggest any method for preventing a collusion attack. Certainly, Stern fails to disclose or suggest that a Hamming distance between the outputted codeword and a second outputted codeword is proportional to a distance between the first watermark information and a second watermark information.

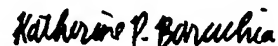
Thus, because the applied combination of Aggarwal and Stern fails to disclose or suggest the features of independent Claims 29-31, it is respectfully submitted that these claims patentably distinguish over the applied combination. It is therefore respectfully requested that this rejection be withdrawn.

Moreover, it is respectfully submitted that there is no basis in the teachings of either Aggarwal or Stern to support the applied combination. As set forth in MPEP § 2143, a *prima facie* case of obviousness requires motivation for the proposed modifications in the teachings of the references being combined. In the outstanding Office Action, no teachings in either reference were cited to provide motivation for the combination. Accordingly, it is respectfully submitted that the applied combination of Aggarwal and Stern is the result of hindsight reconstruction in view of the teachings of the present specification, and is improper.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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